



MINUTES
Regular Meeting of the Heritage Preservation Board
Tuesday, January 12, 2010, 7:00 PM
Edina Community Room
4801 50th Street West

MEMBERS PRESENT:

Chair Chris Rofidal, Lou Blemaster, Arlene Forrest, Connie Fukuda, Bob Kojetin, Jean Rehkamp Larson, Bob Schwartzbauer, Joel Stegner and Elizabeth Montgomery

STAFF PRESENT:

Joyce Repya and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the December 8, 2009, meeting were filed as submitted.

II. COUNTRY CLUB DISTRICT: Certificate of Appropriateness

A. H-10-01 4505 Arden Avenue, Edina, MN

Remove home's heritage resource classification to enable demolition of home and construction of a new home.

Staff Presentation

Planner Repya explained that the Country Club District Plan of Treatment, as revised in 2008, stipulates that houses which the HPB determines to be heritage preservation resources will be protected against teardowns "unless the applicant can show that the subject property is not a heritage preservation resource, or no longer contributes to the historical significance of the District because its historic integrity has been compromised by deterioration, damage or by inappropriate additions or alterations."

For planning purposes, a house in the Country Club District is considered to be a heritage preservation resource if (a) it was built during the district's period of historical significance (1924-1944) and (b) it embodies the distinctive architectural features that characterize one or more of the "period revival" styles (Colonial, Tudor, etc.).

Planner Repya reported that the subject property at 4505 Arden Avenue is located on the east side of the 4500 block of Arden Avenue. The existing home is a Tudor style constructed in 1926, and thus categorized a heritage resource which precludes the home from being torn down. Tim and Michele Pronley have entered into a purchase agreement for the property with the intention of demolishing the home and building a new home that meets the design review guidelines in the Country Club District's Plan of Treatment.

Planner Repya reminded the Board that at the November HPB meeting, Scott Busyn of Great Neighborhood Homes represented the Pronleys in requesting opinions from the Board as to the likelihood the home could be reclassified a non-historic resource and hence qualify for demolition. At that time, Mr. Busyn provided photographic evidence supporting his contention that the home at 4505 Arden Avenue no longer contributes to the historical significance of the Country Club District because its historic integrity has been compromised by deterioration, damage, and inappropriate additions and/or alterations.

Once Mr. Busyn concluded his presentation, members of the Heritage Preservation Board shared their opinions. The general consensus of the group was that if the Pronleys chose to pursue declassifying the home a heritage resource they would have to make a very strong case that the home suffers from deterioration, damage, and/or inappropriate additions or alterations that cannot be rehabilitated. The Board stressed that information provided should be supported by the technical evaluation of a registered architect or engineer.

Planner Repya pointed out in his letter to the HPB dated November 9, 2009; Mr. Busyn stated that the subject property "no longer contributes to the historical significance of the Country Club District because its historic integrity has been compromised by deterioration, damage, and by inappropriate additions or alterations." In his opinion, these defects have rendered the existing home "unsafe and uninhabitable" and therefore unworthy of preservation.

Mr. Busyn has now provided 2 extensive reports of the subject home. The first, by Building Environmental Management, Corp. evaluated the home with respect to mold and moisture. The second report by structural engineer and architect Jared Larson provided an evaluation of his visual inspection of the home, including a list of the existing deficiencies and building code violations found in both the interior and the exterior of the home. Both reports were presented to support Mr. Busyn's contention that the existing house should be demolished.

In an evaluation of the reports, Preservation Consultant Robert Vogel observed that missing from both assessments of the property was consideration of the subject property's location within a designated heritage preservation district. Also, neither report referenced the relevant historic preservation standards or heritage resource management practices. Much of the information presented related to the condition of the interior of the house which would be irrelevant when assessing its historic integrity. Mr. Vogel also pointed out that regarding the exterior conditions of the home, the observations and recommendations were presented out of context, having little bearing on the question of whether or not the house possesses historic integrity.

Edina's chief building official, Steve Kirchman reviewed the reports provided by Mr. Busyn and determined that while there are numerous components of the dwelling requiring repair or replacement, that would not be unusual for a home built in the 1920's. He pointed out that while rehabilitation of the home would require demolition of a great deal of that which currently exists, it is possible.

Mr. Kirchman added that the architect's report raised concern as to the structural integrity of the foundation, however no evidence was provided relative to the extent of the foundation's deterioration. Furthermore, Mr. Kirchman pointed out that most residential dwelling foundations are over-designed and a limited amount of deterioration is not structurally significant.

Lastly, Mr. Kirchman observed that he did not believe that the reports provided evidence to render a judgment that the home is unsafe or uninhabitable.

RECOMMENDATION & FINDINGS:

Planner Repya concluded that taking into consideration the property reports provided by the applicant; the evaluation by Steve Kirchman, Edina's Chief Building Inspector; and the recommendation from Robert Vogel, the Board's Heritage Preservation Consultant, Staff recommends denial of the application for a CERTIFICATE OF APPROPRIATENESS to remove the heritage resource classification of the home at 4505 Arden Avenue. Findings supporting the recommendation include:

1. The subject property is a heritage preservation resource and contributes to the historical significance of the Country Club District.
2. Built in 1926, the core of the house is a representative example of the Tudor Revival style homes constructed in the District during its period of historical significance (1924-1944). The street façade is preserved intact, despite some deterioration caused by weathering and apparent deferred maintenance.
3. The City's chief building official reviewed the submitted reports and opined in his memos dated January 6, 2010 and January 11, 2010 that based on information in the reports the home at 4505 Arden Avenue could be rehabilitated, and is "safe and habitable".
4. The structural additions made to the house in 1938 and 1948 are architecturally incompatible with the Tudor style façade, but have not destroyed the distinguishing original qualities and historic character of the property. Structural additions are a common feature of historic homes in the Country Club District and document the history of the neighborhood and individual properties. In this case, although the additions are over fifty years old, they lack architectural distinction and have no preservation value in their own right.
5. The physical condition of the core of the house makes it a good candidate for preservation. The original street façade has survived largely intact and the visual impact of the inappropriate structural additions (located on the rear) is reversible.
6. The deteriorated condition of some of the property's historic character-defining exterior features does not justify demolition. The preferred treatment is rehabilitation, encompassing repair or replacement of the deteriorated features, construction of an architecturally appropriate rear addition and garage, and abatement of serious building code problems. Compliance with modern energy efficiency, drainage, and accessibility standards should not endanger the architectural integrity of the façade and modifications to the historic appearance of the house from the street should be minimal.

7. The owners of 4505 Arden Avenue could rehabilitate the core section of the historic house. This may result in demolition of the 2-story addition and attached garage, which would require a Certificate of Appropriateness; the new construction would need to meet the Secretary of the Interior's standards for rehabilitation and follow the design review guidelines in the Country Club District Plan of Treatment. A Certificate of Appropriateness would not be required for work that would not result in the removal of more than 50% of the surface area of all exterior walls or the principal roof.

The preferred preservation treatment for the house at 4505 Arden Avenue is rehabilitation, which is also the recommended treatment strategy for the Country Club District as a whole. Rehabilitation is the act or process of making possible a compatible use for a heritage preservation resource through repairs, alterations, and/or additions, while preserving those portions or features which convey the property's historical, cultural and architectural values. The underlying reason for rehabilitating rather than tearing down the house is the recognition that the older homes give the Country Club District its special character and cultural depth. Once a heritage resource is demolished, it cannot be replaced, and architecturally compatible new homes are not an appropriate substitute for preserved historic homes, regardless of how attractive they look to the modern eye. In more utilitarian terms, rehabilitation of older homes also saves energy and raw materials, to say nothing of time and money, over new construction.

Applicant Presentation

Mr. Busyn thanked everyone for attending the meeting and told the Board in his opinion the subject home is in the worse condition he's seen. Mr. Busyn stated over the years the home has suffered tremendous deterioration and damage. Mr. Busyn also pointed out the inappropriateness of the additions and "other" alterations to the home. Mr. Busyn delivered a power point presentation cataloging the deterioration to the home. Mr. Busyn pointed out the following issues found with the house:

- Widespread exterior and interior water damage
- Mold growth contamination
- Structural deterioration and failure
- Overall deterioration of exterior and interior finishes.
- Roof failure
- Multiple code violations to include a stairway that is too narrow, no handrail, unsafe landings, no fire protection between garage and home, exposed electrical, exposed asbestos
- Chimney deterioration. The chimney should be removed and replaced.
- Settling
- Too many dogs in the home
- Mice

Mr. Busyn stated these deficiencies have been confirmed and documented by licensed architects/engineers and residential environmental health experts. Mr. Busyn further

explained that a thermal imaging camera was used to detect moisture intrusion inside the walls.

Continuing, Mr. Busyn clarified that Mr. and Mrs. Pronley do not own the property; they are the applicant and have entered into a Purchase Agreement with the Trustees. Mr. Busyn said the Pronleys are not against historic preservation, they believe in it. Mr. Busyn referred to the Plan of Treatment and noted that it states the City promotes voluntary compliance with historic preservation as long as it is possible to make an efficient, contemporary use of older homes. Mr. Busyn alleged that this isn't possible with 4505 Arden Avenue. He added that the property has suffered so badly from deferred maintenance that it has gone past the tipping point. Mr. Busyn said a reasonable person would allow the property owners to have the choice to either rehabilitate the home or raze the home and replace the home with a new home. Mr. Busyn asked the Board for their support.

Public Comment

Carol Hancock, 4503 Arden Avenue, addressed the Board and pointed out that in the Country Club District there are numerous homes with additions to the original house. She said in her opinion the "non-historic" additions of the subject house could be removed and the core of the original house preserved. Continuing, Ms. Hancock referred to Mr. Busyn's comments on mold found in the house and asked if the mold growth had been documented. Ms. Hancock commented on the thermal photos presented of the interior of the house adding she would have liked to see thermal images of a "normal" house for comparison. Concluding, Ms. Hancock pointed out the property next door is for sale, adding she is sure all historical houses have some code deficiencies.

Joyce Mellom, 4506 Arden Avenue, asked the Board if they received her two letters. Chair Rofidal responded in the affirmative.

Dan Engel, Florida, informed the Board he is one of the Co-Trustees of the property, informing the Board his parents purchased their home in 1959. Mr. Engel acknowledged his parents were poor stewards of the property, adding the Trust as it's established doesn't have the assets to improve the home. Continuing, Mr. Engel stated the Trust is in a dire situation and the alternatives are limited. Concluding, Mr. Engel stated in his opinion there aren't many options available for this property; sell the house to Mr. and Mrs. Pronley, or rent the house and leave the key with the bank.

Steve Lundberg, 4517 Arden Avenue, stated in his opinion the "horse is out of the barn", pointing out there are a large number of homes in the district that have already been modified without HPB review. Mr. Lundberg said forcing rehabilitation isn't even common sense because in reality if the house is "rehabilitated" the majority of home will be "gone" and what's left is just façade rehabilitation.

Kathie Cerra 4522 Arden Avenue, addressed the Board and stated over the past 10 years there has been continuous construction noise in her neighborhood from

teardowns and additions to existing homes. This constant noise and construction vehicle traffic has completely disrupted the tranquility of the neighborhood. Ms. Cerra suggested that the Board deny the request and recommend that the City purchase the property to create a small park or an oasis of open space.

Lee McGrath, 4619 Moorland Avenue, stated he is a believer in the 5th Amendment and the individual rights of property owners. Mr. McGrath said in his opinion the current recommendation infringes on those rights, adding an individual's property right vs. the community should be balanced. Concluding, Mr. McGrath encouraged the Board to uphold the rights of the property owner by allowing them to tear down the house and build a new house.

Chair Rofidal asked if anyone else would like to speak to the topic. Being none; Member Forrest moved to close the public meeting. Member Blemaster seconded the motion. All voted aye; motion approved.

Discussion, comments, questions from the Board

Chair Rofidal asked if the mold growth had been documented. Planner Repya responded and acknowledged that mold was found in the home; however, no toxicity report was presented on the type(s) of mold found or exact location.

Chair Rofidal suggested that Mr. Busyn consider providing a thermal image of a different house for comparison purposes. Member Forrest agreed that would be a good idea, adding winter and summer thermal imaging photos can be different and could also indicate a lack of insulation. Mr. Busyn agreed.

Member Kojetin commented that he can't speak to the 5th Amendment; however, he believes that the majority (if not all) people living in the District are aware of its landmark designation and the restrictions placed on the District. Member Kojetin said the intent of the landmark designation is to preserve the look of the neighborhood; which in part is preservation of the front façade of the home. Member Kojetin said the Plan of Treatment doesn't prevent a homeowner from maintaining their house or adding on to it, reiterating that preserving the front façade and its scale is of the utmost importance. Concluding, Member Kojetin stated he believes the subject house can be rehabilitated leaving the front façade intact, adding in his opinion the house as it exists today does have value.

Member Schwartzbauer asked Member Kojetin if he would be in favor of the applicant keeping the front façade as is, and building back or tearing down the existing house and rebuilding the house with an identical front façade. Member Kojetin said he thinks he would be in favor of either, adding maintaining the front streetscape is important to him.

Member Rehkamp Larson said in her opinion the Board is preserving more than just the front façade, adding old houses have smaller pieces and parts of significance. It isn't only the façade one has to maintain. Member Rehkamp Larson said she believes there is an audience for restoring old houses, adding she has worked with these clients.

Member Schwartzbauer observed if this request is considered a “whole house issue” in his opinion it has been demonstrated that extensive deterioration has occurred. Member Schwartzbauer referred to language in the Plan of Treatment that indicates “unless the applicant can show that the subject property is not a heritage preservation resource, or no longer contributes to the historical significance of the District because its historic integrity has been compromised by deterioration, damage or by inappropriate additions or alterations.” Member Schwartzbauer said in reading that language one must also believe that the additions made to the home are inappropriate and would qualify the house for demolition. Concluding, Member Schwartzbauer reiterated that in his opinion the integrity of the house at 4505 Arden Avenue has been compromised and if any home in the District is a candidate for demolition this one is.

Member Rehkamp Larson commented that in her opinion “the horse isn’t out of the barn”, adding there’s a lot to preserve in the District. Member Rehkamp Larson said the District consists of 550 strings that together hold up the landmark designation.

Member Forrest stated as she understands the Plan of Treatment, the job of the Heritage Preservation Board is to preserve not only the façade of District houses, but to preserve the entire building and its place in the District. Member Forrest agreed significant “issues” were found with the house; however, the City’s building official didn’t render the building uninhabitable. Continuing, Member Forrest also pointed out economics is not the charge of the Board. Member Forrest concluded that in her opinion there is no evidence addressing the lack of historic significance of the home, adding people preserve old houses all the time, it’s a fact of life. Concluding, Member Forrest said she agrees with City staff and Consultant Vogel that the house can be rehabilitated, adding she can’t support the request to remove the heritage resource classification of the house.

Member Blemaster said the role of the Board is to preserve and protect the historic features of homes in the District. She added the Board needs to be aware of the “slippery slope”, and shouldn’t consider economics in the decision making process. Member Blemaster stated she believes this particular home can be rehabilitated; the additions could be eliminated leaving the original house intact.

Member Schwartzbauer stated he doesn’t believe anyone is disputing the relevancy of the Plan of Treatment. It is relevant; however the argument this evening is with the application to declassify the house to facilitate its removal to make way for a new house. Continuing, Member Schwartzbauer referred to the two reports presented that indicate the additions aren’t historically significant and are not appropriate and the house is in a serious state of deterioration. Member Schwartzbauer said if the Board is viewing the house “as a whole” the additions compromised the historic relevancy of the house “as a whole”.

Member Blemaster pointed out the additions were added to the core of the home and if removed the “historic home” would remain.

Member Montgomery commented that there may be historic integrity in the additions,

pointing out they were constructed in the 1930's and 1940's.

Member Forrest stated that the architecture of the home was significant and if one looks at the Secretary of Interior's standards, the core of the house as it exists today continues to maintain its historic significance.

Chair Rofidal said to the best of his knowledge the significance of the streetscape has been discussed many times by this Board, adding it's his understanding that the street scape is what can be seen from the front street. Continuing, Chair Rofidal acknowledged a recent teardown in the District at 4615 Wooddale Avenue that received a Certificate of Appropriateness to rebuild a new home in its place, adding these two cases are different in a number of ways. 1) The process was different, 2) Consultant Vogel recommended approval, and 3) The house at 4615 Wooddale was not an historic resource and would not qualify for its own designation. Continuing, Chair Rofidal stated this request is a struggle, acknowledging the property at 4505 Arden has deteriorated, and the additions added to the home are not appropriate. Member Forrest also added with regard to 4615 Wooddale that Thorpe used different standards for that house.

Member Stenger told the Board at the last meeting when this issue was raised, he had expressed concern regarding safety; however, those concerns have been answered and the building inspector has indicated that the house is habitable. Member Stenger acknowledged that rehabilitation is inconvenient and expensive, but the charge of the HPB is to preserve.

Member Rehkamp Larson noted the Plan of Treatment was revised recently, acknowledging there is a learning curve to the process. Member Rehkamp Larson thanked Mr. Busyn for his excellent presentation, which was clear, and the issues were thoroughly documented; however, she added that she could not support the request to declassify the historic significance of the house to make way for its removal.

Action

Member Forrest moved denial of the Certificate of Appropriateness to remove the heritage resource classification from the home based on staff and consultant findings. Member Rehkamp Larson seconded the motion. Ayes; Fukuda, Montgomery, Rehkamp Larson, Kojetin (want front façade maintained), Forrest, Blemaster, Stegner, Rofidal. Nay; Schwartzbauer. Motion carried.

III. COMMUNITY COMMENT: None.

IV. CORRESPONDENCE:

Chair Rofidal reported he has been participating in the review process to appoint new members to fill the vacancies left by members Fukuda, Blemaster and Kojetin, and has found during the process that Edina has some very talented and interesting residents

with very different backgrounds. He stressed that the Board will miss the fine qualities and expertise Connie, Lou and Bob have exhibited, and thanked them for their service to the City of Edina and the Heritage Preservation Board.

Chair Rofidal also reported that in March members of the HPB will need to elect a new chair when his term as chair expires.

Member Kojetin told the Board he has enjoyed his time on the HPB. Kojetin explained that he also serves on the Historical Society Board, and he encouraged the HPB to become members. Membership applications were passed out to all with Kojetin stressing that the annual fee was only \$15 – a great deal!! Board members thanked Kojetin for his years of service to the HPB, and agreed membership in the Historical Society would be a good way to support the community.

V. **NEXT MEETING DATE:** February 9, 2010

VI. **ADJOURNMENT:** The meeting adjourned at 9: 55 PM

Respectfully submitted,

Jackie Hoogenakker